

## **BEAR PAW COOPERATIVE**

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January 19, 2022

Chairperson Edie McClafferty  
Members of the Interim Education Committee  
Montana State Legislature  
PO Box 201706  
Helena, MT 59620-1706

Dear Chairperson McClafferty and Members of the Committee,

My name is Sara Tempel and I am the director of the Bear Paw Cooperative which provides special education and related services to our member school districts across north-central Montana. I have been asked to provide information to the committee regarding the impact that school district attendance centers have on our special education Cooperative, specifically, those attendance centers that are outside the geographic boundaries of our Cooperative.

In the fall of 2016, the Bear Paw Cooperative discovered that Liberty Elementary School District, located at Eagle Creek Colony in Liberty County, assumed responsibility of providing educational services to school attendance centers at Hillside Colony and Rimrock Colony, both located in Toole County. Liberty Elementary is located within the geographic boundaries of the Bear Paw Cooperative; Hillside and Rimrock are not. Bear Paw Cooperative was then informed that we were responsible for providing special education and related services to those attendance centers. Neither the Cooperative's Governing Board nor any of our 21 member school districts' Boards of Trustees were consulted as to the impact of this decision.

Despite the fact that Sunburst School District was willing to serve the students from these attendance centers at its schools, Liberty Elementary School District acquired the two attendance centers, both of which are more than 50 miles from its boundaries. In doing so, it unilaterally

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Sara Tempel Ex 14

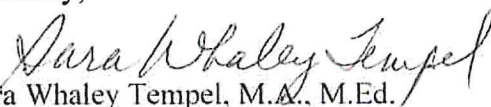
let go. When Liberty Elementary School District assumed Hillside and Rimrock attendance centers, they added two school buildings that were only five miles apart. Two school buildings within 5 miles of each other. To me, it is inexplicable how some districts are forced to abandon school buildings while others are allowed to acquire more. This inequity is startling.

Furthermore, Montana Code Annotated 20-6-104 states that, "...a school district may not initiate the creation of a new elementary district or a new high school district." While Liberty Elementary did not initiate the creation of a new district, it appears that the creation of "attendance centers" has become a loophole for certain groups, allowing new school buildings to be built for their convenience under the guise of "attendance centers" while students in other public school districts must travel lengthy distances, some up to an hour, in order to access their education.

Chairperson McClafferty and Members of the Committee, my intent of providing this lengthy narrative is to point out the necessity for binding procedural requirements or administrative regulations that will equitably govern the creation or assumption of attendance centers by existing school districts and the impact that the lack of such procedural guidance has had. For our particular case, two years of dispute, hundreds of hours of individuals' time, and costly attorneys' fees could have been avoided had there been this guidance in place.

Thank you for your consideration of this information.

Sincerely,

  
Sara Whaley Tempel, M.A., M.Ed.  
Director  
Bear Paw Cooperative